

HOUSE BILL NO. 707

INTRODUCED BY GROESBECK

BY REQUEST OF THE HOUSE FISH, WILDLIFE, AND PARKS STANDING COMMITTEE

A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING THE COMPENSATION PAID TO FISH, WILDLIFE, AND PARKS LICENSE AGENTS; ALLOWING LICENSE AGENTS TO CHARGE A CONVENIENCE FEE FOR PURCHASES MADE WITH A CREDIT CARD OR A DEBIT CARD; REVISING THE DEFINITION OF "TRANSACTION" TO INCLUDE THE COLLECTION OF ANY DATA OR FEE; AMENDING SECTION 87-2-903, MCA; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 87-2-903, MCA, is amended to read:

"87-2-903. Compensation, fees, and duties of agents -- penalty for late submission of license money. (1) License agents, except salaried employees of the department, must receive for all services rendered a commission of 50 cents for each transaction, plus any additional amount as determined by rules adopted pursuant to subsection (9).

(2) A license agent may charge a convenience fee of up to 3% of the total amount of a transaction if a purchase is made with a credit card or a debit card. A FINANCIAL INSTITUTION OR CREDIT CARD COMPANY MAY NOT PROHIBIT COLLECTION OF THE CONVENIENCE FEE PROVIDED FOR IN THIS SUBSECTION.

~~(2)(3)~~ Each license agent shall submit to the department the money received from the sale of licenses, less the appropriate commission and convenience fee.

~~(3)(4)~~ Each license agent shall submit to the department copies of each paper license sold.

~~(4)(5)~~ The department may charge license agents appointed after March 1, 1998, an electronic license system ~~installation~~ fee not to exceed actual costs.

~~(5)(6)~~ The department may designate classes of license agents and may establish a ~~deadline for submission of license money by~~ protocol for each class of agent. Each license agent shall keep the license account open at all reasonable hours to inspection by the department, the director, the wardens, or the legislative auditor.

~~(6)(7)~~ For purposes of this section, the term "transaction" includes the sale of any license, or permit,

1 collection of any data or fee, or issuance of any certificate prescribed by the department.

2 ~~(7)~~(8) If a license agent fails to submit to the department all money received from the declared sale of
3 licenses, less the appropriate commission and convenience fee, by the deadline established by the department,
4 an interest charge equal to the rate charged under 15-1-216 ~~must~~ may be assessed. Acceptance of late
5 payments with interest does not preclude the department from summarily revoking the appointment of a license
6 agent under 87-2-904.

7 ~~(8)~~(9) The department may adopt rules necessary to implement this section."
8

9 COORDINATION SECTION. SECTION 2. COORDINATION INSTRUCTION. IF HOUSE BILL NO. 172 IS NOT
10 PASSED AND APPROVED, THEN [SECTION 1(1) AND (7) OF THIS ACT] IS VOID.
11

12 NEW SECTION. Section 3. Effective date. [This act] is effective July 1, 2005.
13

- END -